IN THE HIGH COURT OF JUDICATURE AT BOMBAY

A S

Writ Petition No.449l of 2005

Shri Vijaykumar Ramrao Doke...Petitioner
vs
The State of Mah and ors .respondents

Mr Uday P Warunjikar for petitioner
Mrs J S Pawar AGP for State

CORAM: A.P.SHAH & D.Y.CHANDRACHUD JJ

Dated l5.7.2005

P.C:

. Heard learned counsel for the parties.

. Petitioner is visually handicapped person. He is l00% blind. Petitioner is working as a primary teacher in a school run by respondent no. 3 Shikshan Mandal, Pune Municipal Corporation for more than 22 years. Petitioner is M.A., B.Ed. It appears that the Social Welfare Department had recommended the case of the petitioner to the respondent no.3 for promotion to the post of Supervisor in July 2002.It appears that the Commissioner of Handicapped Welfare initially made a recommendation that the petitioner should be considered for promotion for the post of supervisor. However, by his communication dated l7.5.2005 Commissioner of Handicapped Welfare

informed the petitioner that the post of Supervisor has been identified by the State Government for low vision persons and the petitioner being l00% blind is not eligible for the said post of Supervisor.

. The learned counsel for the parties pointed out that this court has appointed a Special Committee for identification of the posts for disabled persons in Government and Semi Government institutions.The learned counsel agreed that the case of the petitioner be referred to the said Committee to decide whether he can be appointed to the post of Supervisor. Commissioner Handicapped Welfare is directed to refer the case of the petitioner to the Special Committee to decide whether l00% blind person can be appointed to the post of Supervisor in the Primary School. The Committee is requested to communicate its decision to the Commissioner within two months .The Commissioner is directed to take appropriate decision in the light of the report of the Committee. Petition is accordingly disposed of.